

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 7, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0817 to 2007-0847
ORDINANCES – 2007-0884 to 2007-0923
RESOLUTION – 2007-0032

2007-0816-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motion 2007-0817 – Procedural motion
Motion 2007-0818 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 8, 2007 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 65

MISCELLANEOUS - NUMBER 1

1. **Motion 2007-0819**

REQUEST from Mayor for confirmation of the appointment of the following to the **PLANNING COMMISSION**:

Position Thirteen - **MS. BETH WOLFF**, for a term to expire 3/31/2009

Position Fourteen - **MR. DAVID WYNN ROBINSON**, for an unexpired term ending 9/30/2007

DAMAGES - NUMBER 2

2. **Motion 2007-0820**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CHRISTINE PRESTON** v. Roderick Mayfield and City of Houston; in the 127th Judicial District Court of Harris County, Texas; Cause No. 2005-53231 - \$40,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 3 through 5

3. Motion 2007-0832

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,263,227.63 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Irvington Area, WBS S-000035-00C3-4 1.12% over the original contract amount - **DISTRICT H - GARCIA**

4. Motion 2007-0833

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,660,258.66 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Water Line Replacement in the Junction City Area, WBS S-000035-00C5-4 - 5.76% under the original contract amount - **DISTRICT H - GARCIA**

5. Motion 2007-0834

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$11,024,528.48 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for Construction of 66-Inch Water Line along Aldine-Westfield, Peyton Road, proposed easements, Morales Road, Milner Road, Double Tree Drive, John F. Kennedy Boulevard, and World Houston Parkway from Greens Road to Vickery Drive, WBS S-000900-00A1-4 - 5.99% under the original contract amount - **DISTRICT B - JOHNSON**

PROPERTY - NUMBERS 6 through 12

6. Motion 2007-0821

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Bishop Amos O. Oyewale of Preach the Word Evangelical Church, Inc., for sale of ±3,060-square-feet of excess fee-owned Kirkwood Drive Right-of-way, being part of Tract 3B, Block 60 of the Dairy Townsite Subdivision, Parcel SY7-134 - **DISTRICT F - KHAN**

7. Motion 2007-0822

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from James R. Dunn, Chief Financial Officer, Maximus Coffee Group, LP (Carlos de Aldecoa, General Partner), for sale of ±375-square-feet of excess fee-owned property within the Texas Avenue Lift Station and York Relief Sewer site, being part of Lot 9A, Block 620 of the Rangers Extension, out of the S. M. Williams Survey, A-87, Parcel SY8-002 - **DISTRICT H - GARCIA**

8. Motion 2007-0823

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from J. MacDonald Ruffeno, P.E. of Walter P. Moore & Associates, on behalf of Rice University (Joseph B. Davidson, Associate General Counsel), for abandonment and sale of a 20-foot-wide prescriptive water line easement in exchange for the conveyance to the City of a 20-foot-wide water line easement and a 10-foot by 10-foot fire hydrant easement, all located in Tracts 3 and 4, out of the Joseph Gamble Survey, A-309, Parcels SY8-001, KY8-061A and KY8-061B - **DISTRICT C - CLUTTERBUCK**

PROPERTY - continued

9. Motion 2007-0824

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from James E. Vanderwater, on behalf of Trinity Lutheran Church (Stephen Maynard, Chairman), for abandonment and sale of Hickory Street from the Texas and New Orleans Railroad south ± 356 feet and Morin Place from its western terminus east ± 92 feet, in exchange for the conveyance to the City of two 20-foot-wide storm sewer easements, all located in North Side Buffalo Bayou, Parcels SY8-003A, SY8-003B, LY8-021A and LY8-021B - **DISTRICT H - GARCIA**

10. Motion 2007-0835

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Nael Ashour, Walter P. Moore & Associates, on behalf of Friedkin Realty - Enclave, LP [The Pyramid Family Group, Inc, (Frank Gruen, President) General Partner], for abandonment and sale of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision, Parcels SY8-004 and VY8-031 - **DISTRICT G - HOLM**

11. Motion 2007-0825

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Henry Hernandez, on behalf of Cornelius Morley, declining the acceptance of, rejecting, and refusing the dedication of East 5 $\frac{1}{2}$ Street from Oxford Street to its terminus, but excluding the area within the former M. K. T. Railroad Corridor, within the Houston Heights Addition, Parcel SY7-084 - **DISTRICT H - GARCIA**

12. Motion 2007-0836

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels AY6-046 and AY6-047, owned by Impala Investments, Inc., for the **HAYES ROAD PROJECT from Westheimer to Briar Forest**, N-000780-0001-2-01 - **DISTRICT G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 23

13. Motion 2007-0826

FRONTRANGE SOLUTIONS USA, INC for Software Maintenance and Support Services Agreement for the Information Technology Department - \$64,138.40 - Central Service Revolving Fund

14. Council Member Khan tagged

MAXIMUS, INC for Software Maintenance and Support Services Agreement for the Information Technology Department - \$80,000.00 - Central Service Revolving Fund

15. Motion 2007-0837

KNOWLEDGE COMPUTING CORPORATION for Software, System Uplifts, and Maintenance Service Agreement for Police Department - \$310,190.00 - Grant Fund

16. Motion 2007-0838

AT&T DATACOMM for Purchase of Audio-Video Display Equipment, Installation Service, and Maintenance Service through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Police Department - \$366,787.00 - Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Motion 2007-0839

INFORMATION BUILDERS, INC for Spending Authority to purchase Software and Professional Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Police Department - \$628,777.00 - Grant Fund

18. Motion 2007-0827

INDUSTRIAL TX CORPORATION to Modify the Almeda Sims East Lift Station for Department of Public Works & Engineering - \$197,500.00 and contingencies for a total amount not to exceed \$207,375.00 - Enterprise Fund

19. Motion 2007-0840

INFILCO DEGREMONT, INC for Replacement Parts for Wastewater Treatment Plants for Department of Public Works & Engineering - \$59,328.29 - Enterprise Fund

20. Motion 2007-0828

AMEND MOTION #2007-288, 3/21/07, TO PURCHASE two additional Water Tank Removals and Replacements for Department of Public Works & Engineering, for a total increase of \$33,000.00, awarded to **TEXANS AUTO CENTER** - Fleet Management Fund

21. Motion 2007-0829

PROFESSIONAL TURF PRODUCTS, L. P. for Mowers through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for the Department of Public Works & Engineering - \$34,079.78 - Enterprise Fund

22. Motion 2007-0830

TROY CONSTRUCTION, L.L.P. to Repair the 24-inch Force Main at 9850-1/2 Goodyear Drive for the Department of Public Works & Engineering - \$79,900.00 and contingencies for a total amount not to exceed \$83,895.00 - Enterprise Fund

23. Council Member Berry tagged

SAFETY SHOE DISTRIBUTORS, L.L.P. for Safety Footwear for Various Departments - \$3,902,931.46 minus a commission fee for Internet-based reverse auction services for a net award amount not to exceed \$3,882,931.46 - General, Enterprise, Fleet Management, Park Special Revenue and Storm Water Funds

ORDINANCES - NUMBERS 24 through 65

24. Ordinance 2007-0884

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Colombard Drive from Greensgate Drive East ±820 feet to the boundary of the Esplanade Phase One Subdivision, Parcel SY6-082, vacating and abandoning said drive to Industrial Developments International (Texas), L.P., a Georgia Limited Partnership, the abutting owner, in consideration of its conveyance to the City of a 25-foot-wide water line easement, Parcel KY6-207, and its payment of \$16,093.00 and other consideration to the City; the abandonment parcel and the conveyance parcel both lying between Unrestricted Reserve B and Restricted Reserve B of the Esplanade Phase One Subdivision, Houston, Harris County, Texas **DISTRICT B - JOHNSON**

ORDINANCES - continued

25. Council Members Clutterbuck, Noriega and Garcia tagged

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) Bolsover Street from Kelvin Street to Morningside Street (Parcel No. SY6-099A), (2) a sidewalk easement along the north side of Bolsover Street (Parcel No. SY6-099B), and (3) a water line easement (Parcel No. SY6-099C); vacating and abandoning said right-of-way and easements to Lamesa Village, Limited, a Texas Limited Partnership and the abutting owner ("owner"), in consideration of (a) the conveyance to the City of additional street right-of-way along (I) the east side of Kelvin Street (Parcel No. AY7-023A) and (II) the west side of Morningside Street, (Parcel No. AY7-023B), (b) construction of angled on-street parking, and (c) development pursuant to a Development Agreement; all located within West Houston Addition, A. C. Reynolds Survey, A-61, a subdivision plat recorded at Volume 60, Page 184, of the Deed Records of Harris County, Texas; approving and authorizing said development agreement - **DISTRICT C - CLUTTERBUCK**

26. Ordinance 2007-0885

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of ±2,660 square feet of excess, fee-owned, street right of way, from Knoblock Street to Delafield Street, located at 5400 Gulf Freeway, out of the Edmundson Fourth Addition, Houston, Harris County, Texas, Parcel SY7-021, vacating and abandoning said parcel to Paul R. Schielack, the abutting owner, in consideration of his payment of \$14,630.00, and other consideration to the City - **DISTRICT I - ALVARADO**

27. Council Members Wiseman and Garcia tagged

ORDINANCE authorizing and approving Purchase Agreement between the City of Houston, Seller, and **FOUNDATION FOR THE RETARDED, a Texas Non-Profit Corporation, Purchaser**, for the sale of an aggregate of 6.7212 acres of land, more or less, and a 30 foot wide easement for Ingress and Egress, at 3550 West Dallas Street, Houston, Texas, said land and easement being out of the John Austin Survey, A-1, Harris County, Texas, in consideration of the development of said property by Purchaser for the City and the payment of \$6,000,000.00 by purchaser to the City on the terms set forth in the agreement - **DISTRICT D - EDWARDS**

28. Council Members Wiseman, Clutterbuck and Garcia tagged

ORDINANCE authorizing the creation of the Contractor Responsibility Fund to defray the costs of providing Health Care Services to Uninsured Persons in the Houston Area; approving and authorizing a plan for distribution of monies in the Fund

29. Ordinance 2007-0908

ORDINANCE consenting to the addition of 25.000 acres of land to **BARKER CYPRESS MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

30. Ordinance 2007-0886

ORDINANCE consenting to the addition of 35.9 acres of land to **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2**, for inclusion in its district

31. Ordinance 2007-0887

ORDINANCE consenting to the addition of 147.913 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district

32. Ordinance 2007-0888

ORDINANCE consenting to the addition of 1.769 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

ORDINANCES - continued

33. Ordinance 2007-0889

ORDINANCE consenting to the addition of 1.771 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

34. Ordinance 2007-0890

ORDINANCE consenting to the addition of 3.954 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

35. Ordinance 2007-0891

ORDINANCE consenting to the addition of 4.5930 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

36. Ordinance 2007-0892

ORDINANCE consenting to the addition of 6.4284 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

37. Ordinance 2007-0893

ORDINANCE consenting to the addition of 19.72 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285**, for inclusion in its district

38. Ordinance 2007-0894

ORDINANCE consenting to the addition of 269.7 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 290**, for inclusion in its district

39. Ordinance 2007-0895

ORDINANCE consenting to the addition of 13.386 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**, for inclusion in its district

40. Ordinance 2007-0896

ORDINANCE establishing the north side of the 4400 block of Bell Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO**

41. Ordinance 2007-0897

ORDINANCE establishing the east and west sides of the 1200 block of Columbia Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

42. Ordinance 2007-0898

ORDINANCE establishing the north and south sides of the 900 through 1100 blocks of East 26th Street and the east side of the 2600 block of Baylor Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

43. Ordinance 2007-0899

ORDINANCE establishing the north and south sides of the 1900 block of West Lamar Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

44. Ordinance 2007-0900

ORDINANCE establishing the south side of the 2300 block of Shakespeare Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK**

ORDINANCES - continued

45. Ordinance 2007-0901

ORDINANCE establishing the east and west sides of the 1000 block of Tabor Street and the east side of the 1000 block of Northwood Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT H - GARCIA**

46. Ordinance 2007-0909

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,026,494.00 in Emergency Shelter Grant Funds and Community Development Block Grant ("CDBG") Funds for the Administration of an Emergency Shelter Grants Program, which amount includes a limitation on additional funding in the amount of \$1,961,494.00 - 1 Year

47. Ordinance 2007-0902

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$193,415.00 in Community Development Block Grant Funds, which amount includes a limitation on additional funding in the amount of \$163,415.00, for the operation of a homeless services database and other homeless related information services - 1 Year

48. Council Member Johnson tagged

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **DOMINION COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT B - JOHNSON**

49. Council Members Khan and Holm tagged

ORDINANCE appropriating \$3,823,840.00 out of Equipment Acquisition Consolidated Fund and authorizing the issuance of purchase orders to **DYONYX, L.P.** and **TEXAS PROCUREMENT CENTER, L.L.C.**, for Phase Three of the City's Network Implementation Project - \$3,230,000.00 Enterprise Funds

50. Ordinance 2007-0903

ORDINANCE renaming a portion of a Street named Spring Street to Sawyer Heights Street **DISTRICT H - GARCIA**

51. Ordinance 2007-0910

ORDINANCE approving and authorizing second amendment to Antenna Site License Agreement between **CULLEN ALLEN HOLDINGS, L.P.**, a Delaware Limited Partnership, as licensor, and the City of Houston, Texas, as licensee, for Antenna Space in and upon the Three Allen Center Building, 333 Clay Street, Houston, Texas, for four additional years at a monthly license fee of \$150.00, for use by the Office of Emergency Management - **DISTRICT I - ALVARADO**

52. Ordinance 2007-0904

ORDINANCE appropriating \$350,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **ATC ASSOCIATES, INC** for Professional Environmental Consulting Services (Project 580; WBS A-000131-0002-3-01-01) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

ORDINANCES - continued

53. Ordinance 2007-0911

ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS&J** for Biomonitoring and Chemical Testing and Regulatory Matters Services for Various Wastewater Treatment Facilities - \$624,000.00 - Enterprise Fund

54. Ordinance 2007-0905

ORDINANCE approving and authorizing Cooperative Agreement between the City of Houston and the **ENVIRONMENTAL PROTECTION AGENCY** for the Wrenwood Subdivision Drinking Water System Improvements - **DISTRICT A - LAWRENCE**

55. Ordinance 2007-0912

ORDINANCE appropriating \$160,890.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an amendment to a Treated Surface Water Supply Contract between the City and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96**, WBS S-000035-0105-4

56. Ordinance 2007-0913

ORDINANCE appropriating \$217,390.96 out of Water & Sewer System Consolidated Construction Fund and \$273,000.00 out of the Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Section One of the South Post Oak Manor Subdivision, WBS S-000800-00M8-4, R-000800-00M8-4 & M-000800-00M8-4 - **DISTRICT D - EDWARDS**

57. Council Member Lawrence tagged

ORDINANCE appropriating \$430,448.45 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **FLEMING LOOP PARTNERS, LTD.** for Construction of Water and Sewer Lines to serve the Fleming Loop Subdivision, WBS S-000802-0051-4 & R-000802-0051-4 - **DISTRICT A - LAWRENCE**

58. Council Member Garcia tagged

ORDINANCE appropriating \$1,069,642.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0108-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

59. Ordinance 2007-0906

ORDINANCE appropriating \$41,080.00 out of Parks Consolidated Construction Fund; awarding construction contract to **MOMENTUM CONTRACTORS, INC** for Pavilion Replacements (Clark Park, Hennessey Park and Brewster Park), WBS F-000640-0003-4; F-000640-0001-4; and F-000640-0002-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, environmental project management and air monitoring services, and contingencies relating to construction of facilities financed out of the Parks Consolidated Construction Fund and Community Development Block Grant Fund - \$1,500,000.00 Grant Fund - **DISTRICTS B - JOHNSON and H - GARCIA**

ORDINANCES - continued

60. Council Member Brown tagged

ORDINANCE granting to **AGGREGATE HAULERS, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

61. Council Member Brown tagged

ORDINANCE granting to **VEOLIA ES TECHNICAL SOLUTIONS, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

62. Ordinance 2007-0869 – Passed second reading

ORDINANCE No. 2007-869, passed first reading August 1, 2007

ORDINANCE granting to **DESIGNING TECHNIQUES, LLC, a Texas Limited Liability Corporation, dba DURAN'S YOUR DUMPSTER.COM**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

63. Ordinance 2007-0836 – Passed third and final reading

ORDINANCE No. 2007-836, passed second reading August 1, 2007

ORDINANCE granting to **EAGLE PRENTICE, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

64. Ordinance 2007-0837 – Passed third and final reading

ORDINANCE No. 2007-837, passed second reading August 1, 2007

ORDINANCE granting to **HAZWASTE ENVIRONMENTAL, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

65. Ordinance 2007-0838 – Passed third and final reading

ORDINANCE No. 2007-838, passed second reading August 1, 2007

ORDINANCE granting to **SPECIALIZED MAINTENANCE SERVICES, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 66

MISCELLANEOUS

66. Motion 2007-0841 – Uphold Board’s decision

REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **914 PRESTON L.P.** on the denial of an Application for an Off-Premise Sign Permit at 402 Main Street - **DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 67 through 84

67. Ordinance 2007-0914

ORDINANCE appropriating \$286,086.46 out of Water & Sewer System Consolidated Construction Fund and \$381,000.00 out of the Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **WATERWAY DEVELOPMENT INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Sterling Village Subdivision, WBS S-000800-00M3-4, R-000800-00M3-4 & M-000800-00M3-4 **DISTRICT E - WISEMAN**
POSTPONED BY MOTION #2007-745, 7/3/07
This was Item 44 on Agenda of July 3, 2007

68. Ordinance 2007-0915

ORDINANCE appropriating \$430,489.32 out of Water & Sewer System Consolidated Construction Fund and \$375,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **MIDDLEBURY PROPERTIES, LP** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Fuqua Landing Subdivision, WBS S-000800-00N2-4, R-000800-00N2-4 & M-000800-00N2-4 - **DISTRICT E - WISEMAN**
POSTPONED BY MOTION #2007-747, 7/3/07
This was Item 45 on Agenda of July 3, 2007

69. Ordinance 2007-0916

ORDINANCE appropriating \$461,639.06 out of Water & Sewer System Consolidated Construction Fund and \$420,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **MIDDLEBURY PROPERTIES, LP** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Four of the Clearwood Crossing Subdivision, WBS S-000800-00N1-4, R-000800-00N1-4 & M-000800-00N1-4 - **DISTRICT E - WISEMAN**
POSTPONED BY MOTION #2007-748, 7/3/07
This was Item 46 on Agenda of July 3, 2007

70. Motion 2007-0842 – Adopt

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$827,303.87 and acceptance of work on contract with **APACHE SERVICES, INC** for SHAPE Community Center, WBS Y-00P013-0002-4 - 4.46% over the original contract amount **DISTRICT I - ALVARADO**
POSTPONED BY MOTION #2007-749, 7/3/07
This was Item 47 on Agenda of July 3, 2007

71. Motion 2007-0847 – Adopt

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for the participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2007 through September 30, 2008, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements
TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON, GARCIA and GREEN
This was Item 3 on Agenda of August 1, 2007

MATTERS HELD – continued

72. Motion 2007-0843 – Postpone two (2) weeks

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$55,827,573.22 and acceptance of work on contract with **THE MORGANTI GROUP, INC** for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston, Project 444B - 5.89% over the original contract amount - **DISTRICT B - JOHNSON**

TAGGED BY COUNCIL MEMBER GREEN

This was Item 4 on Agenda of August 1, 2007

73. Motion 2007-0844 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **GRIMM TECHNOLOGIES, INC** for Grimm Portable Aerosol Spectrometer and Accessories for Health & Human Services Department - \$30,650.00 - Health Special Revenue and Grant Funds

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 10 on Agenda of August 1, 2007

74. Motion 2007-0845 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **INTEGRATED COMMERCIALIZATION SOLUTIONS, INC dba PARAGARD DIRECT** for Interuterine (IUD) Copper Contraceptive Devices for Health & Human Services Department \$213,808.00 - General Fund - **TAGGED BY COUNCIL MEMBERS WISEMAN and LAWRENCE**

This was Item 11 on Agenda of August 1, 2007

75. Resolution 2007-0032

RESOLUTION designating certain properties within the City of Houston as historic landmarks:
River Oaks Community Shopping Center
the north side of W. Gray including 1952-1998 and
2030-2048 W. Gray and the south side of W. Gray
Including 1953-2047 W. Gray and the River Oaks
1952-2050 W. Gray, including the River Oaks
Theatre at 2009 W. Gray

DISTRICT D - EDWARDS

Alabama Community Shopping Center
and Alabama Theatre including 2900-2946 S. Shepherd Drive,
including The Alabama Theatre at 2922 S. Shepherd Drive,
being the entire west side of the 2900 block of
S. Shepherd Drive between Kipling and W. Alabama

DISTRICT C - CLUTTERBUCK

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 13 on Agenda of August 1, 2007

76. Motion 2007-0846 – Postpone two (2) weeks

RESOLUTION transferring full maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street to Interstate Highway System Inventory
DISTRICTS A - LAWRENCE and H - GARCIA - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 14 on Agenda of August 1, 2007

77. Ordinance 2007-0917

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2007-47 by adding four (4) Captain positions, sixteen (16) Engineer/Operator positions and sixteen (16) Fire Fighter positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance - **TAGGED BY COUNCIL MEMBER JOHNSON**

This was Item 15 on Agenda of August 1, 2007

MATTERS HELD – continued

78. Ordinance 2007-0918

ORDINANCE approving and authorizing the submittal of an application to the Harris County Housing Authority for the continuance of the Focused Care Project that provides Case Management Services to the Hurricane Katrina affected population (the “Grant”); declaring the City’s eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City’s representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds; if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$4,360,366.20 Grant Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 19 on Agenda of August 1, 2007

79. Ordinance 2007-0919

ORDINANCE approving and authorizing contract between the City of Houston and **VIDSYS, INC** for Professional Consulting Services for the City’s Public Safety Video Initiative; providing a maximum contract amount - \$375,000.00 - Grant Fund
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 34 on Agenda of August 1, 2007

80. Ordinance 2007-0920

ORDINANCE approving and authorizing contract between the City and **MILAM STREET AUTO STORAGE, INC** for Vehicle Towing and Storage (Boot Program) Services for the Convention & Entertainment Department - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 35 on Agenda of August 1, 2007

Motion 2007-0831 – Suspend rules to consider Item 81 out of order

81. Ordinance 2007-0907

ORDINANCE amending Ordinance #2006-0973 to increase the maximum contract amount for contracts between the City and **NORTH HOUSTON MOTORS, INC, UNIFIED AUTO WORKS, T&T MOTORS, CANNINO WEST, INC, FIESTA WRECKER SERVICE, NATIONAL AUTO COLLISION, INC, MILAM STREET AUTO STORAGE, INC, ALLIED COLLISION CENTER, KTL ENTERPRISES, INC, WESTSIDE WRECKER SERVICE, INC** and **CORPORATE AUTO SERVICES, INC** for the Safe Clear Major Freeway Towing Program - \$1,869,474.00 - Police Special Services Fund (from METRO Mobility Fund)
TAGGED BY COUNCIL MEMBERS WISEMAN and JOHNSON
This was Item 36 on Agenda of August 1, 2007

82. Ordinance 2007-0921

ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund for a supplemental allocation for Contract No. 55990 by and between the City of Houston and **4B TECHNOLOGY GROUP, LLC** for Information Technology and Telecommunications Infrastructure Field Inspection Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field, WBS A-000138-0006-3-01; Proj. 577 - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 42 on Agenda of August 1, 2007

MATTERS HELD – continued

83. Ordinance 2007-0922

ORDINANCE finding and determining the existence of a public necessity for the acquisition of real property interests in connection with the public improvement project known as the Broad Oaks Waterline Replacement Project; authorizing the acquisition, by donation, purchase, or eminent domain proceedings, of permanent easements in, over, under, and across certain property in Lot 8, Block 3 of Broad Oaks Subdivision as recorded in Volume 17, Page 49 of the Map Records of Harris County, Texas, being situated in the Charles Sage Survey, Abstract No. 697, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees **DISTRICT G - HOLM** - **TAGGED BY COUNCIL MEMBERS**

WISEMAN and LAWRENCE

This was Item 48 on Agenda of August 1, 2007

84. Ordinance 2007-0923

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Hurricane Evacuation Education Program - \$34,855.00 - Greater Houston Transportation and Emergency Center Fund

POSTPONED BY MOTION #2007-804, 8/1/07

This was Item 59 on Agenda of August 1, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Wiseman first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

8/07/2007 – All Present

8/08/2007 – All Present